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10/599,213	09/22/2006	Magnus Normark	502.1258USN	5909
33369 7590 05/27/2009 FASTH LAW OFFICES (ROLF FASTH) 26 PINECREST PLAZA, SUITE 2 SOUTHERN PINES, NC 28387-4301				
EXAMINER				
BENZON, GREG C				
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2444				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/599,213

**Applicant(s)**

NORMARK ET AL.

**Examiner**

GREG BENZON

**Art Unit**

2444

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SE/US)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **SUPPLEMENTAL OFFICE ACTION**

This application has been examined. Claims 1-17 are pending.

This SUPPLEMENTAL Non-Final Office Action is being issued in place of the Non-Final Office Action mailed 02/23/2009.

The Examiner is hereby withdrawing the USC 112 rejection for Claims 3,6,9-10, and 13 in view of the Preliminary Amendments filed 09/22/2006.

Furthermore a copy of the SyncML NPL document is provided for the Applicant.

### ***Priority***

This application claims benefits of priority from Foreign Application 0402091-3 filed August 25, 2004. (SWEDEN)

The effective date of the claims described in this application is August 25, 2004.

### ***Information Disclosure Statement***

The information disclosure statement (IDS) submitted on 12/21/2006 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 6, 9-10, 12-14, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mariana (US Patent 7047558) further in view of Chakravorty ( US Patent 7139372).

Mariana disclosed (re. Claim 1) a method for device management by managing objects in devices in a device management system in a mobile network infrastructure, the system having a first server with a first device management application using a first protocol, (Mariana-Figure 3, '*enclosure HTTP server*') a second server with a second device management application using a second protocol, (Mariana-Figure 3, '*card HTTP server*') an interface between them and a device (Mariana-'*smart card*') with objects to be managed, the method comprising:

a) the first management application initiating a device management session with the interface in order to manage the objects in said device, (Mariana-Figure 4, module 642, Column 13 Lines 35-55)

b) the interface translating the objects to be managed (Mariana-Column 6 Lines 40-45) into a form understood by the second management application (Mariana-Figure 4, module 842) and invoking management operations to be made by the second management application, and

c) the first management application performing the management operations to said device. (Mariana-Column 6 Lines 65)

While Mariana substantially disclosed the claimed invention Mariana did not disclose (re. Claim 1) a device management system in a mobile network infrastructure.

Chakravorty disclosed (re. Claim 1) a device management system in a mobile network infrastructure. (Chakravorty-Column 7 Lines 65 thru Column 8 Lines 45)

Mariana and Chakravorty are analogous art because they present concepts and practices regarding operations performed on smart card data objects. At the time of the invention it would have been obvious to combine Chakravorty into Mariana. The motivation for said combination would have been to enable management of digital data

and applications over SIM-enabled mobile devices. (Chakravorty-Column 5 Lines 20-25)

Claim 12 (re. a system) is rejected on the same basis as Claim 1.

Furthermore Mariana-Chakravorty disclosed (re. Claim 12) a database storing mapping relationships between first protocol objects to be managed and second protocol objects to be managed. (Chakravorty-Column 8 Lines 15-20)

Mariana-Chakravorty disclosed (re. Claim 2) steps of: d) the first management application responds to the interface, e) the interface translates the objects to be managed into a form understood by the first management application, (Mariana-Column 6 Lines 40-45) and f) the first management application continues said device management session with the interface.

Mariana-Chakravorty disclosed (re. Claim 3,13) wherein mobile network infrastructure comprises the GSM network and a public network, such as internet. (Mariana-Column 10 Lines 45-55)

Mariana-Chakravorty disclosed (re. Claim 4,14) wherein the device with the objects to be managed is selected from a SIM card in a mobile station, (Chakravorty-Column 7 Lines 65 thru Column 8 Lines 45) a USIM card in a mobile station, a handset in a mobile station, and a smart card in a computer connected to a handset in a mobile station.

Mariana-Chakravorty disclosed (re. Claim 6,16) wherein the device with the objects to be managed is the SIM card in a mobile station and the second device management application uses a SIM File Management (SFM) protocol. (Chakravorty-Column 7 Lines 65 thru Column 8 Lines 45)

The Examiner notes that SIM File Management protocol is described in the SIM Application Toolkit.

Mariana-Chakravorty disclosed (re. Claim 9) wherein the interface checks the identity of the device by means of a subscription identity (Mariana-Column 13 Lines 10-55) such as IMSI or MSISDN, and handset identity, such as the IMEI from a repository in the infrastructure. (Chakravorty-Column 7 Lines 65 thru Column 8 Lines 15, 'GSM SMS')

Mariana-Chakravorty disclosed (re. Claim 10) wherein the RFM protocol command includes also the selection of the transport channel. (Chakravorty-Column 7 Lines 65 thru Column 8 Lines 15, 'GSM SMS')

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5,15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mariana (US Patent 7047558) further in view of Chakravorty ( US Patent 7139372) further in view of SyncML DM Protocol Version 1.1, published February 15, 2002 hereinafter referred to as DM.

While Mariana-Chakravorty substantially disclosed the claimed invention Mariana-Chakravorty did not disclose (re. Claim 5,15) wherein the first device management application uses the SyncML DM protocol.



DM disclosed (re. Claim 5,15) wherein the first device management application uses the SyncML DM protocol. (DM-Page 8, Page 12)

Mariana,Chakravorty and DM are analogous art because they present concepts and practices regarding operations performed on smart card data objects. At the time of the invention it would have been obvious to combine DM into Mariana-Chakravorty. The motivation for said combination would have been to enable transfer management actions between client and management servers. (DM-Page 7, Overview)

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7-8,11,17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mariana (US Patent 7047558) further in view of Chakravorty ( US Patent 7139372) further in view of SyncML DM Protocol Version 1.1, published February 15, 2002 hereinafter referred to as DM, further in view of Kuo (US Patent 7322513).

Mariana-Chakravorty-DM disclosed (re. Claim 7,17) wherein the data objects to be managed are OMA-DM managed objects (DM-Page 12, Section 8.3, SyncBody parameters) and data entities residing on SIM understood by a SIM File Management (SFM) protocol . (Chakravorty-Column 7 Lines 65 thru Column 8 Lines 45)

The Examiner notes that as per Applicant Specifications Page 12 the mapping consists of assigning a URL to the SIM object file.

While Mariana-Chakravorty-DM substantially disclosed the claimed invention Mariana-Chakravorty-DM did not disclose (re. Claim 7) wherein the data objects to be managed are OMA-DM managed objects (DM-Page 12, Section 8.3, SyncBody parameters) that are mapped onto data entities residing on SIM understood by a SIM File Management (SFM) protocol .

The Examiner notes that where DM requires a URL to identify the source/target dataset, it would have been obvious to assign a URL to a SIM card file as disclosed by Mariana, and implement a relationship between the DM target URL and the SIM file URL.

Furthermore Kuo disclosed (re. Claim 7) wherein the data objects to be managed are OMA-DM managed objects (Kuo-Column 3 Lines 10-45, URL and HTML files) that

are mapped onto data entities residing on SIM understood by a SIM File Management (SFM) protocol .

Mariana,Chakravorty,DM and Kuo are analogous art because they present concepts and practices regarding operations performed on smart card data objects. At the time of the invention it would have been obvious to combine Kuo into Mariana-Chakravorty-DM. The motivation for said combination would have been to enable automatically and selectively translates each file, URL, or file reference as they should be when the contents of the smart card are read. (Kuo-Column 2 Lines 10-15)

Mariana-Chakravorty-DM-Kuo disclosed (re. Claim 8) wherein for each OMA-DM protocol command, the translation is performed by selecting the appropriate RFM protocol command equivalent based on the mobile device type, more specifically, the SIM card type. (Kuo-Column 4 Lines 10-15)

Mariana-Chakravorty-DM-Kuo disclosed (re. Claim 11) wherein the interface translating the objects to be managed is an application making use of a conversion map holding the relationships between objects to be managed of different protocols.

The Examiner notes that as per Applicant Specifications Page 12 the mapping consists of assigning a URL to the SIM object file.

The Examiner notes that where DM requires a URL to identify the source/target dataset, it would have been obvious to assign a URL to a SIM card file as disclosed by Mariana, and implement a relationship between the DM target URL and the SIM file URL. Furthermore it would have been obvious to implement a table consisting of the URL/object relationships.

### ***Conclusion***

**Examiner's Note:** Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please refer to the enclosed PTO-892 form.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GREG BENGZON whose telephone number is (571)272-3944. The examiner can normally be reached on Mon. thru Fri. 8 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on (571)272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/G. B./  
Examiner, Art Unit 2444

/William C. Vaughn, Jr./  
Supervisory Patent Examiner, Art Unit 2444